



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1635 Entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Rear .57 Acre Portion of the 3.45 Acre Parcel Located at 1011 S. Cherokee Lane, from R-1*, Single-Family, Eastside to C-2, General Commercial"

MEETING DATE: July 3, 1996

PREPARED BY: City Clerk

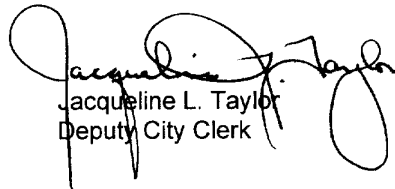
RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1635.

BACKGROUND INFORMATION: Ordinance No. 1635 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Rear .57 Acre Portion of the 3.45 Acre Parcel Located at 1011 S. Cherokee Lane, from R-1*, Single-Family, Eastside to C-2, General Commercial" was introduced at the regular City Council meeting of June 19, 1996.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.


Jacqueline L. Taylor
Deputy City Clerk

Attachment

APPROVED: _____
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1635

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE
OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY
REZONING THE REAR .57 ACRE PORTION OF THE 3.45 ACRE
PARCEL LOCATED AT 1011 S. CHEROKEE LANE FROM R-1*,
SINGLE-FAMILY, EASTSIDE TO C-2, GENERAL COMMERCIAL

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The rear .57 acre portion of the 3.45 acre parcel located at 1011 S. Cherokee Lane (APN 047-400-07) is hereby rezoned from R-1*, Single-Family, Eastside to C-2, General Commercial, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. A Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in their Resolution No. 96-1.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

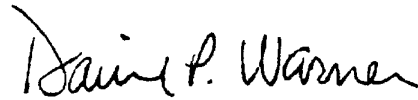
Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 6. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 7. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 3rd day of July, 1996



DAVID P. WARNER
Mayor

Attest:



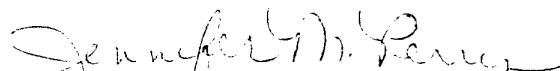
JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1635 was introduced at a regular meeting of the City Council of the City of Lodi held June 19, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held July 3, 1996 by the following vote:

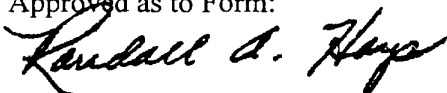
Ayes:	Council Members - Davenport, Mann, Pennino, Sieglock and Warner (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1635 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN
City Clerk

Approved as to Form:



RANDALL A. HAYS
City Attorney